

Message Text

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ACTION DLOS-07

INFO OCT-01 ARA-16 ISO-00 AF-10 EA-11 EUR-25 NEA-14 RSC-01

OIC-04 CG-00 CIAE-00 DODE-00 PM-07 H-03 INR-11 L-03

NSAE-00 NSC-07 PA-04 PRS-01 SP-03 SS-20 USIA-15

AID-20 CEQ-02 COA-02 COME-00 EB-11 EPA-04 IO-14

NSF-04 SCI-06 FEAE-00 ACDA-19 AEC-11 AGR-20 DOTE-00

FMC-04 INT-08 JUSE-00 OMB-01 CIEP-03 CEA-02 DRC-01

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FROM US DEL LOS

E.O. 11652: N/A

TAGS: PLOS

SUBJECT: LOS: DAILY REPORT, COMMITTEE I, AUGUST 15, 1974

1. COMMITTEE I (C-I) HELD INFORMAL P.M. SESSION, AUGUST 15
IN WHICH SPOKESMAN FOR GROUP OF 77 (COLOMBIAN REP) INTRODUCED
DRAFT ARTICLE ON BASIC CONDITIONS OF EXPLOITATION. (POUCHED)
GROUP OF 77 TEXT IS SHORT, VERY GENERAL AND REPRESENTS IN
MANY RESPECTS EXPANSION OF GROUP OF 77 SPONSORED VERSION OF
ARTICLE 9 ON EXPLOITATION SYSTEM. IN INTRODUCTORY STATEMENT
COLOMBIAN REP INDICATED THAT PROPOSAL WAS IN RESPONSE TO
INDUSTRIALIZED POWERS' INSISTENCE THAT IT WAS NECESSARY TO
ELABORATE BASIC CONDITIONS IN CARACAS.

2. FOLLOWING POINTS REGARDING GROUP OF 77 TEXT ON
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BASIC CONDITIONS WERE MADE IN INTRODUCTION; A) TEXT COVERS

RELATED ACTIVITIES , I.E. ALL STAGES FROM SCIENTIFIC RESEARCH TO MARKETING; B) CONDITIONS OF EXPLOITATION SHOULD ONLY INCLUDE RULES FOR REGULATING AUTHORITY'S POWERS, AND OPERATIONAL STANDARDS WILL BE PROMULGATED BY AUTHORITY STRICTLY IN ACCORDANCE WITH BASIC CONDITIONS ; C) AUTHORITY SHOULD DECIDE IN EACH INDIVIDUAL CONTRACT TERMS AND CONDITIONS INCLUDED IN ACCORDANCE WITH BASIC CONDITIONS INCLUDED IN TREATY; D) AUTHORITY SHOULD DECIDE WHICH AREAS TO OPEN FOR EXPLOITATION; E) SELECTION AMONG APPLICANTS SHOULD BE COMPETITIVE; F) WHERE STAGE-BY-STAGE, OPERATIONS ARE CONDUCTED, ORIGINAL CONTRACTOR SHOULD HAVE PRIORITY FOR NEXT STAGE; G) WHERE JOINT VENTURES ARE UTILIZED, AUTHORITY SHOULD HAVE FINANCIAL AND ADMINISTRATIVE CONTROLS (MAJORITY SHARE IN VENTURE); H) THERE SHOULD BE SECURITY OF TENURE BUT AUTHORITY SHOULD HAVE RIGHT TO ALTER CONTRACT IN CASES OF RADICALLY CHANGING CIRCUMSTANCES OR FORCE MAJEURE; I) AUTHORITY'S REVENUES SHOULD BE GENERATED THROUGH SHARE OF PRODUCTION OR PROCEEDS (PROFITS), AND J) AUTHORITY SHOULD BE EMPOWERED TO REGULATE (RESTRICT) PRODUCTION.

3. NIGERIAN REP SPOKE ON GROUP OF 77 TEXT ON BEHALF OF AFRICAN GROUP. (IT IS UNUSUAL FOR NIGERIA WHO HAS BEEN BRANDED AS SUPPORTER OF ULTRA-MODERATE C-I POSITION, TO BE SELECTED AS AFRICAN SPOKEMAN). HE INDICATED THAT SUCCESSFUL NEGOTIATION REQUIRED TRUST AMONG ALL DELS AND SUGGESTED THAT LDC'S MUST HANDLE CONDITIONS OF EXPLOITATION NEGOTIATION WITH CARE IN ORDER TO ENSURE THAT SMALL NUMBER OF INDUSTRIALIZED COUNTRIES DO NOT GET ALL BENEFITS OF COMMON HERITAGE. WHILE DELS SHOULD BE WILLING TO ACCEPT CONDITIONS THAT ENTICE INVESTMENT, THEY SHOULD NOT BE OVERLY CONCERNED ABOUT QTE SCARING AWAY INVESTORS UNQTE SINCE DEEP SEA MINING WOULD OBVIOUSLY BE PROFITABLE. HE STATED THAT MAJOR DIFFERENCE BETWEEN GROUP OF 77 AND US APPROACH TO CONDITIONS ISSUE WAS THAT US SOUGHT TO PROTECT INTERESTS OF INVESTORS AGAINST AUTHORITY, WHILE LDC'S SOUGHT TO PROTECT INTEREST OF INTERNATIONAL COMMUNITY AND NOT NEGLECT INTERESTS OF EXPLOITERS.
STEVENSON

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